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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|--------------------------|------------------|
| 10/517,366 | 12/10/2004 | Takezou Hatanaka | 043001 | 2757 |
| 38834 7590 02/12/2007 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036 | | | EXAMINER TRAN, THAO T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1711 | |
| SHORTENED STATUTORY PERIOD OF RESPONSE | | MAIL DATE | DELIVERY MODE | |
| 3 MONTHS | | 02/12/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/517,366

Applicant(s)

HATANAKA ET AL.

Examiner

Thao T. Tran

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/10/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 7 repeats the same limitations as those in its parent claim, claim 1.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Koike et al. (SUS Pat. 6,654,085).

Koike discloses a polarizing plate adhesive comprising a polyurethane polyol and an isocyanate crosslinker (see col. 4, ln. 13-22). Note that limitations on intended use in the preamble would have no significant patentable weight since the claim is directed to an adhesive and not a laminate.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii et al. (US Pat. 6,964,814) in view of Koike et al. (US Pat. 6,654,085) or Nishizawa et al. (US Pat. 6,797,383). The Fujii reference is used as an equivalent of the EP 1160591 or WO 013007 disclosed in the IDS filed on 12/10/2004.

Fujii discloses a polarizer protection film for use in liquid crystal displays (see col. 1, ln. 17-36). The film is laminated to a polarizer by an adhesive to form a polarizing plate (see col. 3, ln. 17-22; col. 5, ln. 33-45; col. 27, ln. 36-41).

The protection film of Fujii is made from a resin composition comprising a thermoplastic resin A having a substituted or non-substituted imide group in a side chain of the resin A, and a thermoplastic resin B having at least a substituted or non-substituted phenyl group and a nitrile group at a side chain of the resin B (see col. 5, ln. 49-55). The film is biaxially stretched (see col. 19, ln. 33) with a retardation value in both plane and thickness directions of less than 20 nm (see col. 19, ln. 48 to col. 20, ln. 10). The film can be subjected to surface treatment including corona discharge or UV or acid treatment (see col. 25, ln. 26-36). Peel at the interface between the polarization plate and the retardation film is not observed, which is less than 1% (see col. 36, ln. 55-56). Moreover, note that whether the polarization plate is square or circular, its peeling properties would be the same.

Fujii, however, differs from the presently claimed invention in that the reference does not teach the adhesive to be a polyurethane adhesive.

Koike discloses a polarization laminate in liquid crystal displays, the laminate comprising an adhesive that is composed of a urethane resin obtained by cross-link reaction of an isocyanate prepolymer and a polyol such as polyurethane polyol (see abstract; col. 4, ln. 13-22).

Nishizawa discloses a polarization laminate comprising a polyurethane adhesive obtained from reacting a polyurethane prepolymer with a curing agent. The polyurethane prepolymer is a reaction product of an isocyanate and polypropylene glycol; and the curing agent is a polyurethane polyol, a reaction product of an isocyanate and polypropylene glycol (see col. 5, ln. 21-57; col. 6, ln. 11-15). Thus, the polyurethane polyol is a polyether urethane polyol.

Therefore, it would have been obvious to one of ordinary skill in the art to have used the polyurethane adhesive, as taught by Koike or Nishizawa, in the adhesive composition of Fujii, because urethane adhesives obtained from reacting a polyurethane polyol and an isocyanate have been known to have excellent durability, weatherability, and chemical resistance.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao T. Tran whose telephone number is 571-272-1080. The examiner can normally be reached on Monday-Friday, from 9:00 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thao T. Tran
Primary Examiner
Art Unit 1711

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